



PATENT #18
514413-3669

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donn *et al.*
Serial No. : 09/155,921
Filed : May 13, 1999
For : *PROCESS FOR THE PRODUCTION OF PLANTS
WITH ENHANCED GROWTH CHARACTERISTICS*
Examiner : P. Brunovskis
Group Art Unit : 1632

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on May 23, 2002.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative

Marilyn M Brogan

Signature

May 23, 2002

Date of Signature

COPY OF PAPERS
ORIGINALLY FILED

DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Marilyn Matthes Brogan, DECLARE AND STATE THAT:

1. I am a registered practitioner representing the Applicants in the above-named patent application;
2. Material directed to transit peptides and described in Wasmann *et al.* (1986) Mol. Gen. Genet. 205: 446-453 was deemed by the Examiner to be essential to the above-named patent application, and therefore improperly incorporated by reference;
3. The material added to the specification by the Amendment attached hereto and mailed on May 23, 2002 consists of the same material in Wasmann *et al.* that was incorporated by reference on page 15, line 3 of the above-named patent application;

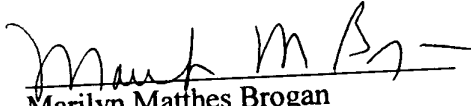
00068431

4. Reconsideration and withdrawal of the objection to the specification are respectfully requested;

5 I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 
Marilyn Matthes Brogan
Registration No. 31,223
(212) 588-0800